

CUBAN HEART FIRED

THEIR WOMEN AND CHILDREN
RUTHLESSLY BUTCHERED.

DONE BY SPANIARDS

DISGRACE THEIR UNIFORMS BY
FIENDISH ATROCITIES.

BEAUTIFUL WOMAN IS TORTURED

TO THE LAST SHE TAUNTS HER
TORMENTORS TO THEIR TEETH.

Uniformed Mob Led by Their Colonels—
News Follows of Abundant Supplies
of Arms for the Insurgents.

New York, Sept. 5.—Atrocities by Spaniards as revolting as those committed by the Japanese at Port Arthur have just been reported to the Cuban revolutionary party in New York. Enrique Trullio, editor of El Progreso, received a letter today from Juan Mazono Franco, chief of staff under General Maximo Gomez, the commander-in-chief of the insurgent army. It is dated "headquarters in the field, Aug. 3," and sends details of the capture and massacre of thirty-seven innocent Cubans—mostly women and children—by the Spaniards under Commander Garrido. On Tuesday morning, according to Colonel Franco's letter, a company of insurgents under the command of one of the Spanish garrisons in the fortress commanding the city of Baire, killed more than seventy men and took fifty-six prisoners. They captured a large quantity of arms and persuaded the prisoners to enlist in the insurgent army. An hour later three companies of Spanish troops under Commander Garrido came up and after a short but sharp resistance the Cubans fled, leaving the fortress again in the hands of the invader.

LED BY THEIR COLONEL

Soon after the fort had been re-captured by the Spaniards one of the companies broke loose and began to pillage the city. Commander Garrido himself, Colonel Franco states, led the uniformed ruffians. The Spaniards were wild for the pillage of blood. Every human creature who came in their path was ruthlessly slain. Within five minutes the streets of Baire were deserted by the Spaniards. The Cubans followed them into their houses and killed them in their own rooms. Age, sex and condition were wholly disregarded by these hired butchers. Says Colonel Franco: "Old and young women, children, even infants were slaughtered. Shocking indignities were offered to the unfortunate victims before and after death. The Spanish soldiers and officers, and the bodies of those whom they had slain and ground their heels into the faces of many who were still living."

One of Garrido's captains commanded the girl to renounce her Cuban sweetheart and swear loyalty to the Spanish government. Yesterday 3,000 Remington rifles and 300,000 cartridges were to be shipped to some small Cuban port. This ship has been lying on the Charles street wharf in New Orleans for several days with the arms packed in barrels of flour. Immediately after midnight, the dispatch said, a lighter came off the wharf and a boat was lowered. When the lighter reached a point seven miles from the shore the arms and ammunition was to be transferred to the large ocean tug Restless which would start for Cuba forthwith.

Before 6 o'clock last night the important news was in possession of a Spanish agent.

President Palma did not know that the secret had been discovered by the enemy. At midnight it was not known whether the shipment had been prevented. The secret agent in this city it is said, held the matter until the Restless should have got outside the three mile limit before having her pounced upon by the Spanish gunboat. New York, Sept. 5.—Estrada Palma, president of the Cuban revolutionary junta has issued an address on the recent arrest of Cubans at Penn's grove using the incident as a basis for a plea to the United States government for recognition of the Cuban insurgents as belligerents.

CLASHINGS IN CUBA

Havana, Sept. 5.—Official dispatches state that a train conveying 30,000 rations and 120,000 cartridges and \$50,000 in money and large quantities of merchandise to Cuato, was attacked by a formidable body of insurgents. The train was stopped and the goods were being guarded the train to Cuato, made a determined stand. He was assisted by a gunboat with a mitrailleuse directed so hot a fire upon the attacking party that they were obliged to retreat. The insurgents lost twenty killed and thirty wounded. On the other side one lieutenant of the military guard, one merchant and two volunteers were killed and five soldiers, two machinists and one marine officer were wounded.

According to an official report, a detachment of twenty soldiers from Fort Campechea were attacked by a force of 300 insurgents. The soldiers so overwhelmed by the force of the insurgents that they were obliged to retreat. The soldiers so overwhelmed by the force of the insurgents that they were obliged to retreat.

THEY HOLD OFFICE

NEBRASKA ADMINISTRATORS
MEET IN CONVENTION.

To Begin with They Cheer Their Master in Finance, John G. Carlisle, and Their Master's Master, Grover Cleveland, by Whose Grace Many a Vociferous Member Knows which Side His Bread is Buttered On, as Also Whence It Is—Resolutions for Sound Money—State Ticket Nominations.

Lincoln, Neb., Sept. 5.—When State Chairman Euclid Martin of Omaha called the second Nebraska Democratic state convention to order today 611 enthusiastic delegates greeted him with applause, encouraged by an enthusiastic crowd of visitors. It was considered quite significant in the light of recent developments that 611 out of a total representation of 634 delegates should be present when the convention was convened and it was early evident that while the party in the state is emphatically divided on financial ties, the so-called hard money element looms little in numbers of delegates as compared to the element of the party which held its convention last month under the auspices of the free silver leaders of the state at Omaha. Many of the pioneers of the Democracy of the state were present and contributed to the dignity of the occasion with their counsels. Every utterance of the speakers was received with a shout of approval in which gold was the basic principle was as vociferously cheered as was the mention of free silver of the convention and the other wing of the party last month.

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WHAT BIBB SAID.

Bibb said that in addition to honest money, tariff reform and the greatest good for the greatest number, the genuine Democratic party, whose representative he believed, stood for everything that was good.

"A few weeks since," he said, "there was held in Omaha an alleged state Democratic convention. It was nothing more, nothing less, than the shadow of Populism. They called themselves 16 to 1 Democrats. Sixteen to one would be the ratio of their support. You never knew a Democrat go to a meeting and call himself a Populist. You never knew a true Democrat to crawl to the support of a Populist. This Omaha gathering was not Democratic. They have gone astray, but like the prodigal son, they will come back, and now I think we have the pleasure of the convention."

On motion the chair appointed committees on credentials and permanent organization. The chair then reported that there were no contests and that every county in the state was represented. On motion the reading of the report of delegates was dispensed with. The committee on permanent organization recommended that the temporary organization be made permanent with an addition of an assistant secretary. Butler county was named as the headquarters of the convention.

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Holds that He has Jurisdiction and that the Sugar Men have No More of a Case than He Thought They had at First—Contents that a Public Officer Acts at His Peril in Any Event, for or Against Any Law, in the Execution Thereof—He Now Gives the Courts a Show at the Case.

Washington, Sept. 5.—R. B. Bowler, the comptroller of the currency, today rendered an opinion on the now celebrated Onard sugar bounty claims, in which he holds, in effect, first, that he, as comptroller, has jurisdiction of the case, and second, that in his opinion the act of March 2, 1895, making the sugar bounty appropriation, is unconstitutional. He, however, decided that the papers in the case be sent to the court of claims for the rendering of a judgment. He held that the case may be furnished "a precedent for the future action of the executive department in the adjustment of the class of cases involved in these sugar bounties."

The particular claim today is substantially on the same footing as all other sugar bounty claims for the satisfaction of which congress at its last session appropriated \$5,238,293. The comptroller answers at great length the arguments presented by counsel for the sugar men, and concludes that the act of March 2, 1895, making the sugar bounty appropriation, is unconstitutional. He holds that the act is unconstitutional, and in the course of his reply he says statutes which do not conform to the constitution are not law and are therefore void. He holds that it becomes the duty of the executive officer to determine for himself, as between the statute and the constitution, whether the statute is valid or not.

IN PERIL EITHER WAY.

It is true that the statute is to be considered prima facie constitutional and should be followed unless it is clearly unconstitutional. It is also true that the comptroller is in peril if he does not execute a constitutional statute, but it is none the less true that he acts at his peril if he executes an unconstitutional statute. As the comptroller does not act under the direction of the secretary of the treasury or the president, and as his decision within the sphere of his jurisdiction is final and conclusive upon the executive branch of the government, it followed that the power to resist the execution of an unconstitutional statute was denied to any executive officer. It was the duty of the comptroller to execute the statute, and he was not to be held responsible for the consequences of his action.

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THE WICHITA DAILY EAGLE

Wichita, Friday, September 6, 1895

Weather for Wichita today: Fair; very warm; south winds. Sun—Rise, 5:34; set, 6:23. Moon—Waning; rise, 7:21.

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